

REMARKS

The present invention is an interactive services display and response user interface, a method of providing real-time interactive services through a user interface of a client device, a computer program to be executed by a client device to perform a method providing real-time interactive services through a user interface of the client device, an interactive service provider, a method of providing interactive services through a user interface of a client device and a user interface of the client device for providing interactive services. An interactive services display and response user interface in accordance with an embodiment of the invention includes a client 102 connected to receive from an interactive provider server 108 and respond to signals based on real-time interactive content over a communications channel 104, 116, etc. received from the interactive provider server; an interface page as, for example, illustrated in Fig. 5 for providing information pertinent to the real-time interactive content to the client; and wherein the page can be configured by the client to display the pertinent information pertaining to the preferences of a user of the client stored by the interactive provider server, the real-time interactive content being tailored to transmission and reception capabilities of the client. See, for example, page 12, lines 3-5, and page 14, lines 11-25, through page 15, lines 1-3, regarding user preferences.

Claims 1, 4, 6, 9-12, 14-27 and 30-40 stand rejected under 35 U.S.C. §103 as being unpatentable over United States Patent 6,058,379 (Odom et al) and United States Patent 5,761,647 (Boushy). These grounds of rejection are traversed for the following reasons.

Each of independent claims 1, 14, 19, 30, 31 and 36 substantively recites an interactive service display and response providing real-time interactive services through a

user interface of a client device wherein the real-time interactive content is personalized according to user preferences and the personalized real-time interactive content is configured to the user interface of the client device. This subject matter is not suggested by the proposed combination of Odom et al and Boushy. Odom et al disclose a real-time network exchange involving electronic exchange of goods and services. The exchange of goods and services is disclosed as involving filtering to insure with compliance with predetermined criteria as, for example, described in column 2, lines 44-47, column 3, lines 33-39, column 4, lines 50-52, and lines 66-67, column 6, lines 29-45 and column 9, lines 2-4 and lines 39-42 as referred to by the Examiner in the Office Action. However, none of the aforementioned portions of Odom et al suggest the utilization of preferences of a user of the client as recited in the independent claims. Independent claims 1, 31 and 36 have been amended to refer to preferences of a user of said client device which was already recited in independent claims 14, 19 and 30. Therefore, this amendment does not create new issues since the Examiner has already acted upon claims reciting user preferences with the Examiner having contended that such subject matter is suggested by the reference to filtering.

Applicant traverses the Examiner's conclusion that filtering involves the claimed user preferences. It is clear from Odom et al that the filtering which is referred therein pertains to the capability of the client device and not the user preferences. Moreover, the Examiner's reliance upon Boushy does not cure this deficiency since Boushy has been cited for teaching tailoring of content according to transmission reception capability. Therefore, if the proposed

combination were made as suggested by the Examiner, the subject matter of the claims would not be achieved.

Moreover, it is submitted that the proposed combination of Odom et al and Boushy is based upon impermissible hindsight. The reason that the combination is based on hindsight is that Odom et al pertains to a system for electronic exchange of goods and services while Boushy pertains to a national customer recognition system and method in the field of gambling. The Examiner has not provided any reasoning in the record that would suggest why a person of ordinary skill in the art would be motivated to modify the teachings of an electronic exchange of goods and services as taught by Odom et al by Bousy's teachings pertaining to the field of gambling.

The remaining rejections of the dependent claims which are claims 4 and 13 over the additionally cited United States Patent 5,848,396 (Gerace), claim 3 over the additionally cited United States Patent 6,712,702 (Goldberg et al), claims 28, 29, 41 and 42 over the additionally cited United States Patent 6,666,769 (Stronach) have been cited for teaching additional dependent claimed features in addition to those recited in the independent claims. These references do not cure the deficiencies noted above with respect to the combination of Odom et al and Boushy which the Examiner has used to reject the broader claims.

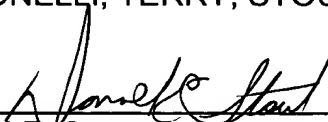
In view of the foregoing amendments and remarks, it is submitted that each of the claims in the application is in condition for allowance. Accordingly, early allowance thereof is respectfully requested.

To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. §1.136. Please charge any shortage in fees due in connection with the

filing of this paper, including extension of time fees, to Deposit Account No. 01-2135 (0171.3808400) and please credit any excess fees to such Deposit Account.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP

A handwritten signature in dark ink, appearing to read "Donald E. Stout", is written over a horizontal line.

Donald E. Stout
Registration No. 26,422
(703) 312-6600

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